

FILED

UNITED STATES COURT OF APPEALS

JUL 06 2012

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

GALEN FISHER,

Defendant - Appellant.

No. 11-17065

D.C. Nos. 2:11-cv-00739-RLH
2:08-cr-00085-RLH

District of Nevada,
Las Vegas

ORDER

Before: Peter L. Shaw, Appellate Commissioner.

The motion to proceed in forma pauperis is granted. The Clerk shall amend the docket to reflect this status.

Appellant's motion for appointment of counsel in this appeal from the denial of a 28 U.S.C. § 2255 motion is granted. *See* 18 U.S.C. § 3006A(a)(2)(B); *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983) (per curiam). Counsel will be appointed by separate order.

The Clerk shall electronically serve this order on the appointing authority for the District Court for Nevada, who will locate appointed counsel. The district court shall send notification of the name, address, and telephone number of

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appointed counsel to the Clerk of this court at

counselappointments@ca9.uscourts.gov within 14 days of locating counsel.

If new counsel identifies uncertified issues that should be raised on appeal, counsel shall include them in the opening brief as permitted by Ninth Circuit Rule 22-1(e).

The opening brief and excerpts of record are due September 21, 2012; the answering brief is due October 22, 2012; and the optional reply brief is due within 14 days after service of the answering brief.